Application Number	Application/Control No. 10/774,381		Applicant(s)/Patent under Reexamination KATO ET AL.					
Document Code - DISQ		Internal Document – DO NOT MAIL						
TERMINAL DISCLAIMER	⊠ APPROVI	ED ·	☐ DISAPPROVED					
Date Filed : December 17, 2007	to a Te	t is subject erminal aimer						
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			18-Mar-08	APPL. S. N:	10774381					
To Exam	iner:		DUNN, MISHAWN	Art Unit	2621					
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: 0 Drop-Off Location	JEF-2D68					
SUBJEC	T: Decision	on on Terminal	Disclaimer(T.D.) filed:							
form par or have a	agraphs i any quest	dentified by the	is informal memo in your i se me or the Special Progra	the results as set forth below. I next Office action to notify appl am Examiner. THIS IS AN INFO D OF RECORD IN THE APPLICA	icant of the T.D. If you dis RMAL, INTERNAL MEMO C	sagree ONLY.				
please in	nitial, date	and return th	is memo to me. THANK YO	OU.						
▽	The T.D.	is PROPER an	d has been recorded (see	14.23).						
Γ.	The T.D.	is NOT PROPE	R and has not been accep	ted for the reason(s) checked b	elow (see 14.24):					
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account								
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
		The person w	ho signed the T.D.:	•	· .	•				
		is no	ot an attorney "of record"	(see 14.29 and 14.29.01).		•				
	•	has	failed to state his/her capa	te his/her capacity to sign for the business entity (see 14.28).						
	,	is no	ot recognized as an officer	of the assignee (see 14.29 & p	ossible 14.29.02).					
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
	Γ-	The T.D. is not signed (see 14.26 & 14.26.03).								
	Γ.	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
			nber of this application (or the number of the patent in reexam or reissue cases being nissing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period di	sclaimed is incorrect or no	t specified (see 14.26, 14.27.02	2 or 14.26.03).	,				
	Γ.	Other:				-				
			request refund (see 14.3) neck this item.	6). NOTE: If already authorized	, credit refund to deposit	account				
I have a	ppropriat	ely notified app	olicant(s) of the status of t	he Terminal Disclaimer filed in	this case.					
Ex.Initia	ls:	Date	e:		Log Date:					

Docket No.

247987US-6 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Motoki KATO, et al.

SERIAL NO: 10/774,381

GAU:

2621

FILED:

February 10, 2004

EXAMINER: DEBELIE, M.

FOR:

TRANSPORT STREAM RECORDING APPARATUS AND METHOD, TRANSPORT STREAM

REPRODUCING APPARATUS AND METHOD, AND PROGRAM RECORDING MEDIUM

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

SONY CORPORATION is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 011405, frame(s) 0268.

SONY CORPORATION hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,950,604, and hereby agrees that any patent so granted on said abovecaptioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,950,604, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

SONY CORPORATION does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,950,604 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Dec.

Date Signed

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Customer Number

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